

**GEORGIA STATE BOARD OF FUNERAL SERVICE**  
**Secretary of State**  
**Professional Licensing Boards Division**

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO THE RULES  
AND NOTICE OF PUBLIC HEARING**

**CHAPTER 250-4 Apprenticeship, RULE 250-4-.05 Board-approved Supervisor**

**TO ALL INTERESTED PERSONS AND PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Funeral Service (hereinafter "Board") proposes an amendment to Chapter 250-4 Apprenticeship, Rule 250-4-.05 Board-approved Supervisor (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's website page at <http://sos.ga.gov/index.php/licensing/plb/30>, or by contacting the Georgia State Board of Funeral Service at 478-207-2440.

Any interested party affected by the rule may present written comments to the Board no later than close of business June 5, 2018. Written comments must be legible, signed, and should contain contact information from the maker (address, telephone number, email address, etc.). Written comments should be addressed to Lisa W. Durden, Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Funeral Service, 237 Coliseum Drive, Macon, Georgia 31217; fax (866) 888-1308. Oral statements presented during the public hearing should be concise and will be limited to five (5) minutes per person.

The Board voted to adopt this Notice of Intent at its April 10, 2018 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. § 43-1-19; 43-1-25; and 43-18-50 to 43-18-54. Finally, the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. § 43-1-19; 43-1-25; and 43-18-50 to 43-18-54 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed or owned and operated in the field of funeral service.

A public hearing is scheduled to begin at 1:00 p.m. on June 12, 2018, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

The proposed rule amendment will be considered for adoption by the Georgia State Board of Funeral Service at its meeting scheduled to begin 1:00 p.m. on June 12, 2018 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Funeral Service has the authority to adopt the proposed

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rule amendment to 250-4-.05 pursuant to authority contained in O.C.G.A. § 43-1-19; 43-1-25; and 43-18-50 to 43-18-54.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 2 day of May 2018.



Lisa W. Durden, Director  
Professional Licensing Boards

Posted: 5/2/2018

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**SYNOPSIS OF PROPOSED CHANGES TO THE RULES**  
**CHAPTER 250-4 Apprenticeship, RULE 250-4-.05 Board-approved Supervisor**

**Purpose:** The purpose of this amendment is to remove and add some words to make the rule more easily understood and to clarify the meaning of direct supervision.

**Main Features:** The main features of this amendment are removal and addition of words to make the rule more easily understood and adding new language in (2)(c) to clarify the meaning of “direct supervision”.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE**  
**PROPOSED AMENDMENTS TO THE RULE**  
**CHAPTER 250-4 Apprenticeship, RULE 250-4-.05 Board-approved Supervisor**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

**CHAPTER 250-4 Apprenticeship**

**RULE 250-4-.05 Board-approved Supervisor**

- (1) An apprenticeship must be served under one (1) or more Board-approved supervisors. A board-approved supervisor shall be either:
  - (a) an individual who is currently licensed by the State of Georgia as a funeral director and embalmer; or
  - (b) two (2) individuals, one (1) of whom is currently licensed by the State of Georgia as a funeral director and the other of whom is currently licensed by the State of Georgia as an embalmer.
- (2) An embalmer and/or funeral director ~~who seeks~~ seeking Board approval to serve as a supervisor:
  - (a) must be employed, either full time or as a trade embalmer, at an establishment approved by the Board as an apprentice site. In addition to any other requirements, a trade embalmer seeking approval as a supervisor:
    1. must embalm at the establishment where the apprentice is registered;
    2. can only supervise four (4) apprentices in total; and
    3. must appear before the Board for approval.
  - (b) must have been employed as a licensee for at least three (3) years;
  - (c) must provide direct supervision which shall mean ~~a licensed supervisor present in the same room as apprentice during arrangements, embalming a body or conducting funeral services; that the embalmer, funeral director, or both, are present on the premises overseeing the activities of the apprentice.~~ a licensed supervisor present in the same room as apprentice during arrangements, embalming a body or conducting funeral services; that the embalmer, funeral director, or both, are present on the premises overseeing the activities of the apprentice.

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- (d) is responsible for ensuring that the apprentice complies with the Rules and Regulations of the Board while under ~~his/her~~ supervision; and
  - (e) may not provide concurrent supervision to more than four (4) apprentices without Board approval.
- (3) The Board may withdraw approval of a supervisor based upon evidence of the inability to supervise an apprentice properly or upon other relevant considerations.
- (4) A licensee who becomes unable to continue to supervise must notify the Board ~~of same no later than~~ within five (5) days ~~after his/her~~ of the last date of service as a provider of supervision.
- (5) An apprentice may receive credit for hours served only if ~~his/her~~ the supervisor has current Board approval. An apprentice serving under a licensee whose approval to supervise has been withdrawn or who ~~becomes~~ is unable to continue to supervise may apply to the Board to ~~serve~~ apprentice under a different Board-approved licensee ~~who is a Board-approved supervisor~~ without paying an additional fee for Change of Supervisor.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; and 43-18-50 to 43-18-54

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- (2) An embalmer and/or funeral director seeking Board approval to serve as a supervisor:
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    1. must embalm at the establishment where the apprentice is registered;
    2. can only supervise four (4) apprentices in total; and
    3. must appear before the Board for approval.
  - (b) must have been employed as a licensee for at least three (3) years;
  - (c) must provide direct supervision which shall mean that the embalmer, funeral director, or both, are present on the premises overseeing the activities of the apprentice.
  - (d) is responsible for ensuring that the apprentice complies with the Rules and Regulations of the Board while under supervision; and
  - (e) may not provide concurrent supervision to more than four (4) apprentices without Board approval.
- (3) The Board may withdraw approval of a supervisor based upon evidence of the inability to supervise an apprentice properly or upon other relevant considerations.
- (4) A licensee who becomes unable to continue to supervise must notify the Board within five (5) days of the last date of service as a provider of supervision.

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- (5) An apprentice may receive credit for hours served only if the supervisor has current Board approval. An apprentice serving under a licensee whose approval to supervise has been withdrawn or who is unable to continue to supervise may apply to the Board to apprentice under a different Board-approved supervisor without paying an additional fee for Change of Supervisor.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; and 43-18-50 to 43-18-54